

**BEFORE THE
BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA**

In the Matter of the Accusation Against:

LAURA SUZANNE PARK A.K.A. LAURA
SUZANNE PARK-HUNT
1750 Huntington Drive
South Pasadena, CA 91030
Registered Nurse License No. 504283

Respondent.

Case No. 2007-204

O.A.H. No. L-2007040904

DECISION AND ORDER

The attached Stipulated Settlement and Disciplinary Order is hereby adopted by the Board of Registered Nursing, Department of Consumer Affairs, as its Decision in this matter.

This Decision shall become effective on June 14, 2008.

It is so ORDERED May 16, 2008.

LaTranene W Tate

FOR THE BOARD OF REGISTERED NURSING

DEPARTMENT OF CONSUMER AFFAIRS

1 EDMUND G. BROWN JR., Attorney General
of the State of California
2 MARC C. GREENBAUM
Supervising Deputy Attorney General
3 SHAWN P. COOK, State Bar No. 117851
Deputy Attorney General
4 300 So. Spring Street, Suite 1702
Los Angeles, CA 90013
5 Telephone: (213) 897-9954
Facsimile: (213) 897-2804
6

7 Attorneys for Complainant

8 **BEFORE THE**
9 **BOARD OF REGISTERED NURSING**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

11 In the Matter of the Accusation Against:

Case No. 2007-204

12 LAURA SUZANNE PARK A.K.A. LAURA
SUZANNE PARK-HUNT
13 1750 Huntington Drive
South Pasadena, CA 91030
14 Registered Nurse License No. 504283

O.A.H. No. L-2007040904

**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER**

15 Respondent.
16

17 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the
18 above-entitled proceedings that the following matters are true:
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20 **PARTIES**

21 1. Ruth Ann Terry, M.P.H., R.N. (Complainant) is the Executive Officer of
22 the Board of Registered Nursing. She brought this action solely in her official capacity and is
23 represented in this matter by Edmund G. Brown Jr., Attorney General of the State of California,
24 by Shawn P. Cook, Deputy Attorney General.
25

26 2. Respondent Laura Suzanne Park a.k.a. Laura Suzanne Park-Hunt
27 (Respondent) is represented in this proceeding by attorney Phyllis M. Gallagher, Esq., whose
28 address is P.O.B. 1551, Wrightwood, CA 92397-1551, tel. (760) 249-4896.

3. On or about September 23, 1994, the Board of Registered Nursing issued Registered Nurse License No. 504283 to Laura Suzanne Park a.k.a. Laura Suzanne Park-Hunt (Respondent). The was in full force and effect at all times relevant to the charges brought in Accusation No. 2007-204 and will expire on October 31, 2008, unless renewed.

JURISDICTION

4. Accusation No. 2007-204 was filed before the Board of Registered Nursing (Board) , Department of Consumer Affairs, and is currently pending against Respondent. The Accusation and all other statutorily required documents were properly served on Respondent on February 1, 2007. Respondent timely filed her Notice of Defense contesting the Accusation. A copy of Accusation No. 2007-204 is attached as exhibit A and incorporated herein by reference.

ADVISEMENT AND WAIVERS

5. Respondent has carefully read, fully discussed with counsel, and understands the charges and allegations in Accusation No. 2007-204. Respondent has also carefully read, fully discussed with counsel, and understands the effects of this Stipulated Settlement and Disciplinary Order.

6. Respondent is fully aware of her legal rights in this matter, including the right to a hearing on the charges and allegations in the Accusation; the right to be represented by counsel at her own expense; the right to confront and cross-examine the witnesses against her; the right to present evidence and to testify on her own behalf; the right to the issuance of subpoenas to compel the attendance of witnesses and the production of documents; the right to reconsideration and court review of an adverse decision; and all other rights accorded by the California Administrative Procedure Act and other applicable laws.

7. Respondent voluntarily, knowingly, and intelligently waives and gives up each and every right set forth above.

CULPABILITY

8. Respondent admits the truth of each and every charge and allegation in Accusation No. 2007-204.

9. Respondent agrees that her Registered Nurse License is subject to discipline and she agrees to be bound by the Board of Registered Nursing (Board) 's imposition of discipline as set forth in the Disciplinary Order below.

CONTINGENCY

10. This stipulation shall be subject to approval by the Board of Registered Nursing. Respondent understands and agrees that counsel for Complainant and the staff of the Board of Registered Nursing may communicate directly with the Board regarding this stipulation and settlement, without notice to or participation by Respondent or her counsel. By signing the stipulation, Respondent understands and agrees that she may not withdraw her agreement or seek to rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt this stipulation as its Decision and Order, the Stipulated Settlement and Disciplinary Order shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal action between the parties, and the Board shall not be disqualified from further action by having considered this matter.

11. The parties understand and agree that facsimile copies of this Stipulated Settlement and Disciplinary Order, including facsimile signatures thereto, shall have the same force and effect as the originals.

12. In consideration of the foregoing admissions and stipulations, the parties agree that the Board may, without further notice or formal proceeding, issue and enter the following Disciplinary Order:

DISCIPLINARY ORDER

IT IS HEREBY ORDERED that Registered Nurse License No. 504283 issued to Respondent Laura Suzanne Park a.k.a. Laura Suzanne Park-Hunt (Respondent) is revoked. However, the revocation is stayed and Respondent is placed on probation for three (3) years on the following terms and conditions.

Severability Clause. Each condition of probation contained herein is a separate and distinct condition. If any condition of this Order, or any application thereof, is declared unenforceable in whole, in part, or to any extent, the remainder of this Order, and all other

1 applications thereof, shall not be affected. Each condition of this Order shall separately be valid
2 and enforceable to the fullest extent permitted by law.

3 1. **Obey All Laws.** Respondent shall obey all federal, state and local laws.
4 A full and detailed account of any and all violations of law shall be reported by Respondent to
5 the Board in writing within seventy-two (72) hours of occurrence. To permit monitoring of
6 compliance with this condition, Respondent shall submit completed fingerprint forms and
7 fingerprint fees within 45 days of the effective date of the decision, unless previously submitted
8 as part of the licensure application process.

9 **Criminal Court Orders:** If Respondent is under criminal court orders, including
10 probation or parole, and the order is violated, this shall be deemed a violation of these probation
11 conditions, and may result in the filing of an accusation and/or petition to revoke probation.

12 2. **Comply with the Board's Probation Program.** Respondent shall fully
13 comply with the conditions of the Probation Program established by the Board and cooperate
14 with representatives of the Board in its monitoring and investigation of the Respondent's
15 compliance with the Board's Probation Program. Respondent shall inform the Board in writing
16 within no more than 15 days of any address change and shall at all times maintain an active,
17 current license status with the Board, including during any period of suspension.

18 Upon successful completion of probation, Respondent's license shall be fully
19 restored.

20 3. **Report in Person.** Respondent, during the period of probation, shall
21 appear in person at interviews/meetings as directed by the Board or its designated
22 representatives.

23 4. **Residency, Practice, or Licensure Outside of State.** Periods of
24 residency or practice as a registered nurse outside of California shall not apply toward a reduction
25 of this probation time period. Respondent's probation is tolled, if and when she resides outside
26 of California. Respondent must provide written notice to the Board within 15 days of any change
27 of residency or practice outside the state, and within 30 days prior to re-establishing residency or
28 returning to practice in this state.

1 Respondent shall provide a list of all states and territories where she has ever been
2 licensed as a registered nurse, vocational nurse, or practical nurse. Respondent shall further
3 provide information regarding the status of each license and any changes in such license status
4 during the term of probation. Respondent shall inform the Board if she applies for or obtains a
5 new nursing license during the term of probation.

6 **5. Submit Written Reports.** Respondent, during the period of probation,
7 shall submit or cause to be submitted such written reports/declarations and verification of actions
8 under penalty of perjury, as required by the Board. These reports/declarations shall contain
9 statements relative to Respondent's compliance with all the conditions of the Board's Probation
10 Program. Respondent shall immediately execute all release of information forms as may be
11 required by the Board or its representatives.

12 Respondent shall provide a copy of this Decision to the nursing regulatory agency
13 in every state and territory in which she has a registered nurse license.

14 **6. Function as a Registered Nurse.** Respondent, during the period of
15 probation, shall engage in the practice of registered nursing in California for a minimum of 24
16 hours per week for 6 consecutive months or as determined by the Board.

17 For purposes of compliance with the section, "engage in the practice of registered
18 nursing" may include, when approved by the Board, volunteer work as a registered nurse, or
19 work in any non-direct patient care position that requires licensure as a registered nurse.

20 The Board may require that advanced practice nurses engage in advanced practice
21 nursing for a minimum of 24 hours per week for 6 consecutive months or as determined by the
22 Board.

23 If Respondent has not complied with this condition during the probationary term,
24 and Respondent has presented sufficient documentation of her good faith efforts to comply with
25 this condition, and if no other conditions have been violated, the Board, in its discretion, may
26 grant an extension of Respondent's probation period up to one year without further hearing in
27 order to comply with this condition. During the one year extension, all original conditions of
28 probation shall apply.

1 7. **Employment Approval and Reporting Requirements.** Respondent
2 shall obtain prior approval from the Board before commencing or continuing any employment,
3 paid or voluntary, as a registered nurse. Respondent shall cause to be submitted to the Board all
4 performance evaluations and other employment related reports as a registered nurse upon request
5 of the Board.

6 Respondent shall provide a copy of this Decision to her employer and immediate
7 supervisors prior to commencement of any nursing or other health care related employment.

8 In addition to the above, Respondent shall notify the Board in writing within
9 seventy-two (72) hours after she obtains any nursing or other health care related employment.
10 Respondent shall notify the Board in writing within seventy-two (72) hours after she is
11 terminated or separated, regardless of cause, from any nursing, or other health care related
12 employment with a full explanation of the circumstances surrounding the termination or
13 separation.

14 8. **Supervision.** Respondent shall obtain prior approval from the Board
15 regarding Respondent's level of supervision and/or collaboration before commencing or
16 continuing any employment as a registered nurse, or education and training that includes patient
17 care.

18 Respondent shall practice only under the direct supervision of a registered nurse
19 in good standing (no current discipline) with the Board of Registered Nursing, unless alternative
20 methods of supervision and/or collaboration (e.g., with an advanced practice nurse or physician)
21 are approved.

22 Respondent's level of supervision and/or collaboration may include, but is not
23 limited to the following:

24 (a) Maximum - The individual providing supervision and/or collaboration is
25 present in the patient care area or in any other work setting at all times.

26 (b) Moderate - The individual providing supervision and/or collaboration is in
27 the patient care unit or in any other work setting at least half the hours Respondent works.

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1 (c) Minimum - The individual providing supervision and/or collaboration has
2 person-to-person communication with Respondent at least twice during each shift worked.

3 (d) Home Health Care - If Respondent is approved to work in the home health
4 care setting, the individual providing supervision and/or collaboration shall have person-to-
5 person communication with Respondent as required by the Board each work day. Respondent
6 shall maintain telephone or other telecommunication contact with the individual providing
7 supervision and/or collaboration as required by the Board during each work day. The individual
8 providing supervision and/or collaboration shall conduct, as required by the Board, periodic, on-
9 site visits to patients' homes visited by Respondent with or without Respondent present.

10 9. **Employment Limitations.** Respondent shall not work for a nurse's
11 registry, in any private duty position as a registered nurse, a temporary nurse placement agency, a
12 traveling nurse, or for an in-house nursing pool.

13 Respondent shall not work for a licensed home health agency as a visiting nurse
14 unless the registered nursing supervision and other protections for home visits have been
15 approved by the Board. Respondent shall not work in any other registered nursing occupation
16 where home visits are required.

17 Respondent shall not work in any health care setting as a supervisor of registered
18 nurses. The Board may additionally restrict Respondent from supervising licensed vocational
19 nurses and/or unlicensed assistive personnel on a case-by-case basis.

20 Respondent shall not work as a faculty member in an approved school of nursing
21 or as an instructor in a Board approved continuing education program.

22 Respondent shall work only on a regularly assigned, identified and predetermined
23 worksite(s) and shall not work in a float capacity.

24 If Respondent is working or intends to work in excess of 40 hours per week, the
25 Board may request documentation to determine whether there should be restrictions on the hours
26 of work.

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1 10. **Complete a Nursing Course(s).** Respondent, at her own expense, shall
2 enroll and successfully complete a course(s) relevant to the practice of registered nursing no later
3 than six months prior to the end of her probationary term.

4 Respondent shall obtain prior approval from the Board before enrolling in the
5 course(s). Respondent shall submit to the Board the original transcripts or certificates of
6 completion for the above required course(s). The Board shall return the original documents to
7 Respondent after photocopying them for its records.

8 11. **Cost Recovery.** Respondent shall pay to the Board costs associated with
9 its investigation and enforcement pursuant to Business and Professions Code section 125.3 in the
10 amount of \$9,088. Respondent shall be permitted to pay these costs in a payment plan approved
11 by the Board, with payments to be completed no later than three months prior to the end of the
12 probation term.

13 If Respondent has not complied with this condition during the probationary term,
14 and Respondent has presented sufficient documentation of her good faith efforts to comply with
15 this condition, and if no other conditions have been violated, the Board, in its discretion, may
16 grant an extension of Respondent's probation period up to one year without further hearing in
17 order to comply with this condition. During the one year extension, all original conditions of
18 probation will apply.

19 12. **Violation of Probation.** If Respondent violates the conditions of her
20 probation, the Board after giving Respondent notice and an opportunity to be heard, may set
21 aside the stay order and impose the stayed discipline (revocation/suspension) of Respondent's
22 license.

23 If during the period of probation, an accusation or petition to revoke probation has
24 been filed against Respondent's license or the Attorney General's Office has been requested to
25 prepare an accusation or petition to revoke probation against Respondent's license, the
26 probationary period shall automatically be extended and shall not expire until the accusation or
27 petition has been acted upon by the Board.

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1 13. **License Surrender.** During Respondent's term of probation, if she ceases
2 practicing due to retirement, health reasons or is otherwise unable to satisfy the conditions of
3 probation, Respondent may surrender her license to the Board. The Board reserves the right to
4 evaluate Respondent's request and to exercise its discretion whether to grant the request, or to
5 take any other action deemed appropriate and reasonable under the circumstances, without
6 further hearing. Upon formal acceptance of the tendered license and wall certificate, Respondent
7 will no longer be subject to the conditions of probation.

8 Surrender of Respondent's license shall be considered a disciplinary action and
9 shall become a part of Respondent's license history with the Board. A registered nurse whose
10 license has been surrendered may petition the Board for reinstatement no sooner than the
11 following minimum periods from the effective date of the disciplinary decision:

12 (1) Two years for reinstatement of a license that was surrendered for any
13 reason other than a mental or physical illness; or

14 (2) One year for a license surrendered for a mental or physical illness.

15 14. **Physical Examination.** Within 45 days of the effective date of this
16 Decision, Respondent, at her expense, shall have a licensed physician, nurse practitioner, or
17 physician assistant, who is approved by the Board before the assessment is performed, submit an
18 assessment of the Respondent's physical condition and capability to perform the duties of a
19 registered nurse. Such an assessment shall be submitted in a format acceptable to the Board. If
20 medically determined, a recommended treatment program will be instituted and followed by the
21 Respondent with the physician, nurse practitioner, or physician assistant providing written
22 reports to the Board on forms provided by the Board.

23 If Respondent is determined to be unable to practice safely as a registered nurse,
24 the licensed physician, nurse practitioner, or physician assistant making this determination shall
25 immediately notify the Board and Respondent by telephone, and the Board shall request that the
26 Attorney General's office prepare an accusation or petition to revoke probation. Respondent
27 shall immediately cease practice and shall not resume practice until notified by the Board.
28 During this period of suspension, Respondent shall not engage in any practice for which a license

1 issued by the Board is required until the Board has notified Respondent that a medical
2 determination permits Respondent to resume practice. This period of suspension will not apply
3 to the reduction of this probationary time period.

4 If Respondent fails to have the above assessment submitted to the Board within
5 the 45-day requirement, Respondent shall immediately cease practice and shall not resume
6 practice until notified by the Board. This period of suspension will not apply to the reduction of
7 this probationary time period. The Board may waive or postpone this suspension only if
8 significant, documented evidence of mitigation is provided. Such evidence must establish good
9 faith efforts by Respondent to obtain the assessment, and a specific date for compliance must be
10 provided. Only one such waiver or extension may be permitted.

11 **15. Participate in Treatment/Rehabilitation Program for Chemical**
12 **Dependence.** Respondent, at her expense, shall successfully complete during the probationary
13 period or shall have successfully completed prior to commencement of probation a Board-
14 approved treatment/rehabilitation program of at least six months duration. As required, reports
15 shall be submitted by the program on forms provided by the Board. If Respondent has not
16 completed a Board-approved treatment/rehabilitation program prior to commencement of
17 probation, Respondent, within 45 days from the effective date of the decision, shall be enrolled in
18 a program. If a program is not successfully completed within the first nine months of probation,
19 the Board shall consider Respondent in violation of probation.

20 Based on Board recommendation, each week Respondent shall be required to
21 attend at least one, but no more than five 12-step recovery meetings or equivalent (e.g., Narcotics
22 Anonymous, Alcoholics Anonymous, etc.) and a nurse support group as approved and directed
23 by the Board. If a nurse support group is not available, an additional 12-step meeting or
24 equivalent shall be added. Respondent shall submit dated and signed documentation confirming
25 such attendance to the Board during the entire period of probation. Respondent shall continue
26 with the recovery plan recommended by the treatment/rehabilitation program or a licensed
27 mental health examiner and/or other ongoing recovery groups.

28 **16. Abstain from Use of Psychotropic (Mood-Altering) Drugs.** Respondent

1 shall completely abstain from the possession, injection or consumption by any route of all
2 controlled substances and all psychotropic (mood altering) drugs, including alcohol, except when
3 the same are ordered by a health care professional legally authorized to do so as part of
4 documented medical treatment. Respondent shall have sent to the Board, in writing and within
5 fourteen (14) days, by the prescribing health professional, a report identifying the medication,
6 dosage, the date the medication was prescribed, the Respondent's prognosis, the date the
7 medication will no longer be required, and the effect on the recovery plan, if appropriate.

8 Respondent shall identify for the Board a single physician, nurse practitioner or
9 physician assistant who shall be aware of Respondent's history of substance abuse and will
10 coordinate and monitor any prescriptions for Respondent for dangerous drugs, controlled
11 substances or mood-altering drugs. The coordinating physician, nurse practitioner, or physician
12 assistant shall report to the Board on a quarterly basis Respondent's compliance with this
13 condition. If any substances considered addictive have been prescribed, the report shall identify a
14 program for the time limited use of any such substances.

15 The Board may require the single coordinating physician, nurse practitioner, or
16 physician assistant to be a specialist in addictive medicine, or to consult with a specialist in
17 addictive medicine.

18 17. **Submit to Tests and Samples.** Respondent, at her expense, shall
19 participate in a random, biological fluid testing or a drug screening program which the Board
20 approves. The length of time and frequency will be subject to approval by the Board.
21 Respondent is responsible for keeping the Board informed of Respondent's current telephone
22 number at all times. Respondent shall also ensure that messages may be left at the telephone
23 number when she is not available and ensure that reports are submitted directly by the testing
24 agency to the Board, as directed. Any confirmed positive finding shall be reported immediately
25 to the Board by the program and Respondent shall be considered in violation of probation.

26 In addition, Respondent, at any time during the period of probation, shall fully
27 cooperate with the Board or any of its representatives, and shall, when requested, submit to such
28 tests and samples as the Board or its representatives may require for the detection of alcohol,

1 narcotics, hypnotics, dangerous drugs, or other controlled substances.

2 If Respondent has a positive drug screen for any substance not legally authorized
3 and not reported to the coordinating physician, nurse practitioner, or physician assistant, and the
4 Board files a petition to revoke probation or an accusation, the Board may suspend Respondent
5 from practice pending the final decision on the petition to revoke probation or the accusation.
6 This period of suspension will not apply to the reduction of this probationary time period.

7 If Respondent fails to participate in a random, biological fluid testing or drug
8 screening program within the specified time frame, Respondent shall immediately cease practice
9 and shall not resume practice until notified by the Board. After taking into account documented
10 evidence of mitigation, if the Board files a petition to revoke probation or an accusation, the
11 Board may suspend Respondent from practice pending the final decision on the petition to
12 revoke probation or the accusation. This period of suspension will not apply to the reduction of
13 this probationary time period.

14 **18. Mental Health Examination.** Respondent shall, within 45 days of the
15 effective date of this Decision, have a mental health examination including psychological testing
16 as appropriate to determine her capability to perform the duties of a registered nurse. The
17 examination will be performed by a psychiatrist, psychologist or other licensed mental health
18 practitioner approved by the Board. The examining mental health practitioner will submit a
19 written report of that assessment and recommendations to the Board. All costs are the
20 responsibility of Respondent. Recommendations for treatment, therapy or counseling made as a
21 result of the mental health examination will be instituted and followed by Respondent.

22 If Respondent is determined to be unable to practice safely as a registered nurse,
23 the licensed mental health care practitioner making this determination shall immediately notify
24 the Board and Respondent by telephone, and the Board shall request that the Attorney General's
25 office prepare an accusation or petition to revoke probation. Respondent shall immediately cease
26 practice and may not resume practice until notified by the Board. During this period of
27 suspension, Respondent shall not engage in any practice for which a license issued by the Board
28 is required, until the Board has notified Respondent that a mental health determination permits

Mar.05 08 07:28a Bailey

FROM : PHYLLIS M GALLAGHER, ATTORNEY FAX NO. : 760 249 3928

Mar. 05 2008 12:16AM P2

MAR-03-2008 12:44

ATTY GENERAL OFFICE

1 Respondent to resume practice. This period of suspension will not apply to the reduction of this
2 probationary time period.

3 If Respondent fails to have the above assessment submitted to the Board within
4 the 45-day requirement, Respondent shall immediately cease practice and shall not resume
5 practice until notified by the Board. This period of suspension will not apply to the reduction of
6 this probationary time period. The Board may waive or postpone this suspension only if
7 significant, documented evidence of mitigation is provided. Such evidence must establish good
8 faith efforts by Respondent to obtain the assessment, and a specific date for compliance must be
9 provided. Only one such waiver or extension may be permitted.

10 19. **Therapy or Counseling Program.** Respondent, at her expense, shall
11 participate in an on-going counseling program until such time as the Board releases her from this
12 requirement and only upon the recommendation of the counselor. Written progress reports from
13 the counselor will be required at various intervals.

14 ACCEPTANCE

15 I have carefully read the above Stipulated Settlement and Disciplinary Order and
16 have fully discussed it with my attorney, Phyllis M. Gallagher. I understand the stipulation and
17 the effect it will have on my Registered Nurse License. I enter into this Stipulated Settlement
18 and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the
19 Decision and Order of the Board of Registered Nursing.

20
21 DATED: 3-05-08

Laura Park
LAURA SUZANNE PARK AKA. LAURA SUZANNE
PARK-HUNT (Respondent)
Respondent

23 I have read and fully discussed with Respondent Laura Suzanne Park a.k.a. Laura
24 Suzanne Park-Hunt the terms and conditions and other matters contained in the above Stipulated
25 Settlement and Disciplinary Order. I approve its form and content.

26
27 DATED: March 5, 2008 *Phyllis M. Gallagher*
PHYLLIS M. GALLAGHER, ESQ.
28 Attorney for Respondent

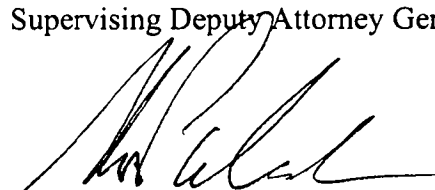
1 ENDORSEMENT

2 The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully
3 submitted for consideration by the Board of Registered Nursing of the Department of Consumer
4 Affairs.

5 DATED: 10 March 2008

6 EDMUND G. BROWN JR., Attorney General
7 of the State of California

8 MARC D. GREENBAUM
9 Supervising Deputy Attorney General

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11 SHAWN P. COOK
12 Deputy Attorney General

13 Attorneys for Complainant

14 DOJ Matter ID: LA2006601602
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Exhibit A
Accusation No. 2007-204

EDMUND G. BROWN JR., Attorney General
of the State of California
JENNIFER S. CADY, State Bar No. 100437
Supervising Deputy Attorney General
SHAWN P. COOK, State Bar No. 117851
Deputy Attorney General
California Department of Justice
300 So. Spring Street, Suite 1702
Los Angeles, CA 90013
Telephone: (213) 897-9954
Facsimile: (213) 897-2804

Attorneys for Complainant

**BEFORE THE
BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA**

In the Matter of the Accusation Against:

LAURA SUZANNE PARK
1027 1/2 Milan Avenue
South Pasadena, CA 91030

Registered Nurse License No. 504283

Respondent.

Case No. *2007-204*

O.A.H. No.

A C C U S A T I O N

Complainant alleges:

PARTIES

1. Ruth Ann Terry, M.P.H., R.N. (Complainant) brings this Accusation solely in her official capacity as the Executive Officer of the Board of Registered Nursing, Department of Consumer Affairs.

2. On or about September 23, 1994, the Board of Registered Nursing ("Board") issued Registered Nurse License Number 504283 to Laura Suzanne Park (Respondent). The Registered Nurse License was in full force and effect at all times relevant to the charges brought herein. The license expired on October 31, 2004, and has not been renewed.

JURISDICTION

3. This Accusation is brought before the Board under the authority of the following laws. References are to the Business and Professions Code unless otherwise indicated.

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1 "(b) Use any controlled substance as defined in Division 10 (commencing with
2 Section 11000) of the Health and Safety Code, or any dangerous drug or dangerous device as
3 defined in Section 4022, or alcoholic beverages, to an extent or in a manner dangerous or
4 injurious to himself or herself, any other person, or the public or to the extent that such use
5 impairs his or her ability to conduct with safety to the public the practice authorized by his or her
6 license.

7

8 "(e) Falsify, or make grossly incorrect, grossly inconsistent, or unintelligible
9 entries in any hospital, patient, or other record pertaining to the substances described in
10 subdivision (a) of this section."

11 8. California Code of Regulations, title 16, section 1444, states:

12 "A conviction or act shall be considered to be substantially related to the
13 qualifications, functions or duties of a registered nurse if to a substantial degree it evidences the
14 present or potential unfitness of a registered nurse to practice in a manner consistent with the
15 public health, safety, or welfare. . . ."

16 9. California Code of Regulations, title 16, section 1442, states:

17 "As used in Section 2761 of the code, 'gross negligence' includes an extreme
18 departure from the standard of care which, under similar circumstances, would have ordinarily
19 been exercised by a competent registered nurse. Such an extreme departure means the repeated
20 failure to provide nursing care as required or failure to provide care or to exercise ordinary
21 precaution in a single situation which the nurse knew, or should have known, could have
22 jeopardized the client's health or life."

23 10. California Code of Regulations, title 16, section 1443, states:

24 "As used in Section 2761 of the code, 'incompetence' means the lack of possession
25 of or the failure to exercise that degree of learning, skill, care and experience ordinarily possessed
26 and exercised by a competent registered nurse as described in Section 1443.5."

27 11. Health and Safety Code section 11173(a) provides that no person shall
28 obtain or attempt to obtain controlled substances, or procure or attempt to procure the

1 administration of or prescription for controlled substances, (1) by fraud, deceit,
2 misrepresentation, or subterfuge; or (2) by the concealment of a material fact.

3 12. Section 4060 of the Code provides in pertinent part:

4 "No person shall possess any controlled substance, except that furnished to a person upon
5 the prescription of a physician, dentist, podiatrist, or veterinarian, or furnished pursuant to a drug
6 order issued by a certified nurse-midwife, . . . a nurse practitioner. . . , or a physician assistant. . ."

7 13. Health and Safety Code section 11550 (a) states in pertinent part:

8 "(a) No person shall use, or be under the influence of any controlled substance which is (1)
9 specified in subdivision (b), (c), or (e), or paragraph (1) of subdivision (f) of Section 11054,
10 specified in paragraph (14), (15), (21), (22), or (23) of subdivision (d) of Section 11054,
11 specified in subdivision (b) or (c) of Section 11055, or specified in paragraph (1) or (2) of
12 subdivision (d) or in paragraph (3) of subdivision (e) of Section 11055, or (2) a narcotic drug
13 classified in Schedule III, IV, or V, except when administered by or under the direction of a
14 person licensed by the state to dispense, prescribe, or administer controlled substances. . . ."

15 14. Health and Safety Code section 11152, states:

16 "No person shall write, issue, fill, compound, or dispense a prescription that does
17 not conform to this division."

18 15. Health and Safety Code section 11170, states:

19 "No person shall prescribe, administer, or furnish a controlled substance for himself."

20 16. A "dangerous drug" is any drug unsafe for self-medication within the
21 meaning of section 4022 in that it requires a prescription under federal law.

22 17. Section 125.3 of the Code provides, in pertinent part, that the Board may
23 request the administrative law judge to direct a licensee found to have committed a violation or
24 violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation
25 and enforcement of the case.

26 18. CONTROLLED SUBSTANCES

27 a. Demerol, a brand of meperidine hydrochloride, a derivative of pethidine, is

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1 a Schedule II controlled substance as designated by Health and Safety Code section 11055(c)(17)
2 and is categorized as a dangerous drug pursuant to section 4022 of the Code.

3 b. "Tylenol with Codeine" (Tylenol #3), is a compound consisting of 325mg.
4 of acetaminophen per tablet, and not more than 30mg. of codeine, a Schedule III controlled
5 substance as designated by Health and Safety Code section 11056(e)(2).

6 c. "Tylenol with Codeine" (Tylenol #4), is a compound consisting of
7 acetaminophen and codeine, a Schedule III controlled substance as designated by Health and
8 Safety Code section 11056(e)(2).

9 FIRST CAUSE FOR DISCIPLINE

10 (Unprofessional Conduct - Obtain or Posses Controlled Substance in Violation of Law)

11 19. Respondent is subject to disciplinary action under Sections 2761(a),
12 2761(d), 2762(a), and 4060 for unprofessional conduct, in that on or about April 14, 2000,
13 Respondent was in possession of the controlled substance Demerol in violation of law.

14 20. While employed as a registry nurse at Northridge Hospital Medical
15 Center during the 7pm to 7am shift on April 14, 2000, Respondent diverted 150 mg. Demerol as
16 follows:

17 21. The physicians order for Patient 1 was for 100 mg. Demerol IM
18 (intramuscular) every 4 hours PRN (as needed). Respondent did not record in the patient's chart
19 that any Demerol was administered to the patient on April 14 or 15, 2000. Respondent charted
20 the withdrawal of 100 mg. Demerol at 0100 for Patient 1 and the wastage of 100 mg. at 0100 as
21 "error" in the Controlled Substance Administration Record (CSAR). Respondent charted the
22 withdrawal of 100 mg. Demerol at 0200 for Patient 1 and the wastage of 100 mg Demerol at
23 0200 in the CSAR. The "wastage" at 0200 was unwitnessed, leaving 100 mg. Demerol
24 unaccounted for. Hospital policy requires that another licensed staff member must witness the
25 wasting of any narcotics and attest to it by signing the verification column of the CSAR.

26 22. The physicians order for Patient 2 was for 50 mg. Demerol. Respondent
27 charted the administration of 1- 50mg. Respondent charted the withdrawal of 2 doses of
28 Demerol 50 mg. at 2130 on April 14, 2000, leaving 50 mg. unaccounted for.

1 false prescriptions for Tylenol #3, #4, Acetimenophen/Codeine and APAP/Codeine, or any of
2 them, under names of two other doctors, Dr. M. S. Bahna, M.D. and Cleo Williams, M.D. for

3 27. Respondent diverted more than one thousand (1,000) tablet of Tylenol #3,
4 #4, Acetimenophen/Codeine and APAP/Codeine.

5 FIFTH CAUSE FOR DISCIPLINE

6 (Unprofessional Conduct-Gross Negligence or Incompetence)

7 28. Respondent is subject to disciplinary action pursuant to Section 2761(a)(1)
8 for unprofessional conduct as defined by California Code of Regulations, title 16, sections 1442
9 and 1443, in that Respondent's conduct as alleged in the preceding paragraphs 25 though 27, was
10 an extreme departure from the standard of care, or in the alternative, demonstrated lack of
11 possession of or the failure to exercise that degree of learning, skill, care and experience
12 ordinarily possessed and exercised by a competent registered nurse.

13 SIXTH CAUSE FOR DISCIPLINE

14 (Unprofessional Conduct- Use to the Extent)

15 29. Respondent is subject to disciplinary action pursuant to Section 2762 (b)
16 for unprofessional conduct in that from in or about May, 2001 through December, 2002,
17 Respondent used acetaminophen and codeine, to an extent or in a manner dangerous or injurious
18 to herself, any other person, or the public or to the extent that such use impaired her ability to
19 conduct with safety to the public the practice authorized by her license.

20 SEVENTH CAUSE FOR DISCIPLINE

21 (Unprofessional Conduct- Under the Influence)

22 30. Respondent is subject to disciplinary action pursuant to Section 2761 (a)
23 for unprofessional conduct and for violation of Health and Safety Code sections 11170 and
24 11550 (a), in that from in or about May, 2001 through December, 2002, Respondent was
25 regularly under the influence of acetaminophen and codeine without valid prescription.

26 PRAYER

27 WHEREFORE, Complainant requests that a hearing be held on the matters herein
28 alleged, and that following the hearing, the Board of Registered Nursing issue a decision:


- 1 1. Revoking or suspending Registered Nurse License No. 504283, issued to
2 Laura Suzanne Park.
- 3 2. Ordering Laura Suzanne Park to pay the Board of Registered Nursing the
4 reasonable costs of the investigation and enforcement of this case, pursuant to Business and
5 Professions Code section 125.3;
- 6 3. Taking such other and further action as deemed necessary and proper.

7

8 DATED: 2/1/07

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RUTH ANN TERRY, M.P.H., R.N.
Executive Officer
Board of Registered Nursing
Department of Consumer Affairs
State of California
Complainant

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